UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,067	12/01/2000	Michael M. Sugar	1089-102.US	3972

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EXAMINER
ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/728,067	SUGAR ET AL.
	Examiner	Art Unit
	Akiba K. Robinson-Boyce	3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>6/23/05</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/23/05

has been entered.

Status of Claims

2. Due to communications filed 6/23/05, the following is a non-final office action.

Claims 1, 17 and 20 have been amended. Claims 1-20 are pending in this application

and have been examined on the merits. Although, the claims have been amended, the

scope of the amended claims have remained the same, therefore, the previous rejection

has been maintained. Claims 1-20 have been rejected as follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 3-12, 15-17, 19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Zeitman (US 5,940,481), and further in view of DeLorme et al., (US

5,948,040).

As per claim 1, Zeitman discloses:

accessing by a user communication with a server computer on the computer

network, the server computer operating a program for reserving a parking space at a

parking facility and containing data relating to a plurality of parking facilities, (Abstract,

lines 1-6, [shows central interface unit being in communication with at least one user, w/

Col. 6, lines 3-4, [shows multiplicity of disperse parking facilities], w/ Col. 5, lines 2-9,

[central control unit registering reservation]);

identifying a parking facility and the time for which a parking space is required in

the parking facility, (Col. 4, lines 8-11, [parking facility identity and time of parking]);

reserving the parking space the parking facility, (col. 4, lines 20-23, [user of

vehicle reserved the use of the parking facility]);

effecting payment for the parking space by providing or identifying information to

enable the server computer directly or indirectly transfer funds for the parking

reservation from a user designated payment source to target account, (Col. 4, lines 61-

63, [charging users telephone account]); and

receiving confirmation from the server computer that the parking reservation has

been made, (col. 5,lines 15-18, [user receives confirmation]).

Zeitman fails to disclose the user having directly or indirectly a lease agreement

for the lease of property including at least in part to the parking facility; or accessing the

lease agreement to check for consistency between the lease agreement and the

parking reservation, but does disclose an electronic parking management system in the

abstract, lines 1-6.

However, DeLorme et al discloses:

the user having directly or indirectly a lease agreement for the lease of property

including at least in part to the parking facility, (col. 81, lines 62-65, outputs can be

rental or lease reservations); or

accessing the lease agreement to check for consistency between the lease

agreement and the parking reservation, (Col. 16, lines 50-55, outputs are available for

confirmation and verification of reservations). DeLorme et al discloses these limitations

in an analogous art for the purpose of showing that lease reservations can be

incorporated into a travel reservation information and planning system.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention for the user to have directly or indirectly a lease agreement relating

at least in part to the parking facility or to access the lease agreement to check for

consistency between the lease agreement and the parking reservation with the

motivation of electronically reserving a valid parking space at a parking facility.

As per claim 3, wherein the user accesses from a PC computer is inherent with

Zeitman since Zeitman discloses that the user interface unit communicates via

communication network systems such as the Internet by way of a computer terminal

connected to a modem. In this case, the computer terminal connected to a model

utilized by a user is analogous to a PC.

As per claim 4, Zeitman discloses:

wherein multiple parking spaces are identified in a parking facility and the parking

reservation an extended period of time, (Col. 6, lines 3-4, [parking spaces at a

multiplicity of disperse parking facilities], Col. 3, lines 33-36, [subscription for parking]).

As per claim 5, Zeitman discloses:

wherein the extended period of time is a one month parking reservation in an

office building, (Col. 3, lines 33-36, [monthly subscription]).

As per claim 6, Zeitman discloses:

wherein reserving the space is carried out by reviewing information provided by

the server computer in response data input by the user and following prompts by the

server computer to indicate that information is approved, (Col. 5 lines 2-18, [central

control unit providing user with a map to select a parking facility and receiving

confirmation from the central control unit]).

As per claim 7, Zeitman discloses:

wherein payment effected by inputting credit card information to the server

computer to enable credit card payment for the reserved parking space by electronic

debiting the credit card account, (Col. 6, lines 15-18, [using a credit card to charge

account]).

As per claim 8, Zeitman discloses:

wherein payment is effected by providing bank account particulars of the user to

facilitate electronic transfer funds between the user designated payment source and the

target account, (col. 3, lines 23-28, [bank account used to bill user]).

As per claim 9, wherein the confirmation received comprises a printout including an access code for entry to the parking facility is inherent with Zeitman since Zeitman discloses that the user may use the user interface unit to communicate an authorization signal to lift the barrier to allow access to a parking facility in Col. 3, lines 65-67, and that the user interface includes a computer terminal in Col. 3, lines 19-21. Since computer terminals contain printers, it would be inherent to print out the authorization code used to activate the authorization signal to lift the barrier.

As per claim 10, Zeitman fails to disclose processing security and/or password information to limit access information to a particular user, but does disclose a user interface that accesses information in col. 2-7.

However DeLorme et al discloses:

processing security and/or password information to limit access information to a particular user, (Col. 37, lines 3-20, [entry of user password]). DeLorme et al discloses this limitation in an analogous art for the purpose of showing that a specific user can be identified via password in order to determine that user's registration status for permitting access or download of VALUABLE OUTPUT.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to process security and/or password information to limit access information to a particular user with the motivation of showing that only certain users have the right to access certain forms of data.

As per claims 11, 12, Zeitman discloses:

Accessing the server computer by a parking facility owner receive data relating to

a preselected parking facility/accessing the server computer by a parking facility

operator to receive data relating to a preselected parking facility, (Col. 4, line 6-23,

[sensor on parking facility server checks to see if vehicle already had reservations, in

this case, the parking facility owner/operator is inherent with Zeitman since the server

computer is shown to be a standard, accessible computer with an interface unit that is

located at the parking facility in Fig. 1, [12, 14, 16], the interface allows a user to access

the central control unit).

As per claim 15, Zeitman discloses:

wherein accessing by a user of the server computer is accomplished by means

of a modem or high speed connection between the user computer and the server, (col.

3, lines 19-22, [user interface unit includes a computer terminal connected to a

modem]).

As per claim 16, Zeitman discloses:

wherein accessing by a user of the server computer is accomplished by means

of a dedicated connection line between the user computer and the server computer,

(col. 3, lines 12-16, [wired or wireless communication link]).

As per claim 17, Zeitman discloses:

server computer on the computer network for operating a parking reservation

program and containing data relating parking facilities and users thereof, (Col. 2, line

65-Col. 3, line 5, [central control unit]);

means within the server computer for receiving and processing data received

from users through computers in the computer network relating a parking space to be

reserved at the parking facility at a selected time, (col. 4, lines 7-24, [reporting to central

control unit], w/ col. 5,lines 2-9, [central control unit registering reservation], Col. 3, lines

1-3, [central control unit contains a data processing and information center]);

transfer funds from an account designated the user target account a parking

facility operator, (col. 3, lines 23-32, [billing apparatus]); and

parking reservation confirmation message to the user relating to the parking

reservation, (col. 5, lines 15-18, [receives confirmation]).

Zeitman fails to disclose the user having directly or indirectly a lease agreement

for the lease of property including at least in part to the parking facility; or accessing the

lease agreement to check for consistency between the lease agreement and the

parking reservation, but does disclose an electronic parking management system in the

abstract, lines 1-6.

However, DeLorme et al discloses:

the user having directly or indirectly a lease agreement for the lease of property

including at least in part to the parking facility, (col. 81, lines 62-65, outputs can be

rental or lease reservations); or

accessing the lease agreement to check for consistency between the lease

agreement and the parking reservation, (Col. 16, lines 50-55, outputs are available for

confirmation and verification of reservations).

DeLorme et al discloses these limitations in an analogous art for the purpose of showing that lease reservations can be incorporated into a travel reservation information and planning system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user to have directly or indirectly a lease agreement relating at least in part to the parking facility or to access the lease agreement to check for consistency between the lease agreement and the parking reservation with the motivation of electronically reserving a valid parking space at a parking facility.

As per claim 19, the following is inherent with Zeitman since Zeitman discloses that communications for a user takes place via a user interface, which is shown to be a computer terminal in col. 3, lines 19-20, and a computer terminal comprises a computer screen:

Comprises a computer screen message thereof.

5.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zeitman (US 5,940,481) as applied to claim1 above, in further view of DeLorme et al., (US 5,948,040), and further in view of Racunas, Jr. (US 5,501,391).

As per claim 2, neither Zeitman nor DeLorme et al disclose wherein the parking facility is selected from the group consisting office building, sports stadium, airport, concert theater, but Zeitman does disclose a parking facility in col. 6, lines 4-5.

However, Racunas, Jr. discloses:

wherein the parking facility is selected from the group consisting office building, sports stadium, airport, concert theater, (Col. 6, lines 11-15, [airport parking lot,

entertainment forum parking lot]). Racunas, Jr. discloses this limitation in an analogous

art for the purpose of showing that parking facilities do exist in the airline and

entertainment field.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention for the parking facility to be selected from the group consisting

office building, sports stadium, airport, concert theater with the motivation of showing

that a variety of parking facility types exist.

6.   Claims 13, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Zeitman (US 5,940,481) as applied to claim 1 above, in further view of DeLorme et al,

and further in view of Yoshida, (US 5,877,704).

As per claim 13, neither Zeitman nor DeLorme et al disclose accessing of server

computer by a full system operator to receive data relating to preselected parking facility

as the capability to modify the computer program, but Zeitman does disclose using the

server computer to receive data relating to preselected parking facility in Col. 4, lines 6-

23.

However, Yoshida discloses:

accessing of server computer by a full system operator to receive data relating to

preselected parking facility as the capability to modify the computer program, (Col. 6,

line 45-52, [prompting for answers to modify parking site display and display information

about the parking site]). Yoshida discloses the access of server computer by a full

system operator to receive data relating to preselected parking facility as the capability

to modify the computer program with the motivation of showing that an operator can access, retrieve and display information with respect to the parking facility.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to access the server computer by a full system operator to receive data relating to preselected parking facility as the capability to modify the computer program with the motivation of modifying updated information about the parking facility.

As per claim 20, Zeitman discloses:

accessing by a user communication with server computer on the computer network, the server computer operating a program for reserving a parking space at a parking facility and containing data relating a plurality of parking facilities, (Abstract, lines 1-6, [shows central interface unit being in communication with at least one user, w/ Col. 6, lines 3-4, [shows multiplicity of disperse parking facilities], w/ Col. 5, lines 2-9, [central control unit registering reservation]);

identifying a parking facility and the time for which a parking space in the parking facility has previously been made, (Col. 4, lines 10-23, esp., line 18-23, [user of vehicle already reserved parking facility]);

effecting payment or receiving refund for the parking space by providing or identifying information enable the server computer directly or indirectly transfer funds for parking reservation between a user designated payment source and target account, (Col. 4, lines 61-63, [charging users telephone account]); and

receiving confirmation from the server computer that the parking reservation been modified, (col. 5,lines 15-18, [user receives confirmation of the reservation]).

Zeitman fails to disclose the user having directly or indirectly a lease agreement

for the lease of property including at least in part to the parking facility; or accessing the

lease agreement to check for consistency between the lease agreement and the

parking reservation, but does disclose an electronic parking management system in the

abstract, lines 1-6.

However, DeLorme et al discloses:

the user having directly or indirectly a lease agreement for the lease of property

including at least in part to the parking facility, (col. 81, lines 62-65, outputs can be

rental or lease reservations); or

accessing the lease agreement to check for consistency between the lease

agreement and the parking reservation, (Col. 16, lines 50-55, outputs are available for

confirmation and verification of reservations).

DeLorme et al discloses these limitations in an analogous art for the purpose of

showing that lease reservations can be incorporated into a travel reservation

information and planning system.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention for the user to have directly or indirectly a lease agreement relating

at least in part to the parking facility or to access the lease agreement to check for

consistency between the lease agreement and the parking reservation with the

motivation of electronically reserving a valid parking space at a parking facility.

Neither Zeitman nor DeLorme et al disclose modifying previously recorded data

relating the reservation parking space in the parking facility, but Zeitman does disclose

reserving a space in a parking facility in col. 4, lines 20-23.

However, Yoshida discloses:

modifying previously recorded data relating the reservation parking space in the

parking facility, (col. 6, lines 46-53,[updating parking site display for parking site

reservation information], w/ Col. 12, lines 51-60 [shows that a reservation processing

number sent is compared to one sent previously and display information for that vehicle

is sent to the display if the car was previously registered including parking site entry

time information]). Yoshida discloses the modification of previously recorded data

relating the reservation parking space in the parking facility for the purpose of making a

reservation easier for a returning customer.

It would have been obvious to one of ordinary skill in the art tat the time of the

applicant's invention to modify previously recorded data relating the reservation parking

space in the parking facility with the motivation of quickly and effectively updating a

returning customer's information.

7.   Claims 14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Zeitman (US 5,940,481) as applied to claim 1 above, in further view of DeLorme et al,

and further in view of Levergood et al., (US 5,708,780).

As per claims 14, 18, neither Zeitman nor DeLorme et al disclose wherein

different users have different levels of access information contained in server

computer/wherein the server computer provides different levels of access to information

and data according to the nature of the user, but Zeitman does disclose accessing

information from a user interface in col. 5, lines 2-7.

However, Levergood et al discloses:

wherein different users have different levels of access information contained in

server computer/wherein the server computer provides different levels of access to

information and data according to the nature of the user, (Col. 10, lines 24-33, [access

to "priority gold" page]). Levergood et al discloses this limitation in an analogous art for

the purpose of showing that certain users have access to more information than other

users.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention for different users have different levels of access information

contained in server computer/wherein the server computer provides different levels of

access to information and data according to the nature of the user with the motivation of

granting certain users with access to a greater amount of information.

Response to Arguments

8.   Applicant's arguments filed 6/23/05 have been fully considered but they are not

persuasive.

The applicant argues that DeLorme does not disclose "the user having directly or

indirectly a lease agreement relating at least in part to the parking facility", and requests

that the examiner point out to the Applicant exactly where DeLorme teaches checking

for consistency between a lease and an parking reservation. First, DeLorme discloses a travel reservation information and planning system that generates "map ticket" output in various media. Specifically, in col. 81, lines 62-65 of DeLorme, it is shown that as the user has custom planned travel and activities associated with travel, the output associated with the travel plan can include lease reservations, which means that a lease agreement related to that specific reservation for travel has been incorporated into that user's travel plan. In addition, DeLorme discloses the confirmation of reservations in col. 16, lines 50-55. Finally, Delorme does incorporate parking into the invention. In col. 16, lines 16-23, DeLorme discloses that the user uses parking facilities since he or she uses the TRIPS to locate a perking facility.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Tuesday 8:30am-5pm, and Wednesday, 8:30 am-12:30 pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

A. R. B.
August 23, 2005

JOHN W. HAYES
PRIMARY EXAMINER